

FILED
for Roanoke
FEB - 4 2013

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CHRISTOPHER ADAM BARRETT,
Plaintiff,

v.

MAJOR PILKENTON, et al.,
Defendants.

) Civil Action No. 7:13-cv-00021
)
)
)

ORDER

) By: Hon. Jackson L. Kiser
) Senior United States District Judge
)

In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that plaintiff's motion to amend is **GRANTED**; the Clerk **SHALL** update the caption; plaintiff's Amended Complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1); and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to plaintiff.

ENTER: This *4th* day of February, 2013.

[Signature]
Senior United States District Judge